

Attach to #44



DOCKET NUMBER 1414.025
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

KING et al.)

Serial No. 07/110,791)

Filed: October 21, 1987)

For: HUMAN GENE RELATED TO BUT)
DISTINCT FROM EGF RECEPTOR)
GENE)

Group Art Unit: 1807

Examiner: Marschel, A.

DECLARATION OF C. RICHTER KING, MATTHIAS H. KRAUS AND
STUART A. AARONSON UNDER 37 C.F.R. § 1.131

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200
The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

April 3, 1995

Sir:

We, C. RICHTER KING, MATTHIAS H. KRAUS and STUART A.

AARONSON declare as follows:

1. We are the applicants of the above-identified patent application and co-inventors of the subject matter described and claimed therein.

2. Prior to October, 1985 and January, 1986, we reduced the claimed invention to practice as evidenced by our attached publication, King et al., *Science* 229:974-976 (September, 1985) (submitted as Exhibit C). As indicated on page 976, our manuscript was submitted to the editors of the journal, *Science* on April 22, 1985 and accepted on June 3, 1985.

3. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that any such false statement may jeopardize the validity of the application or any patent issued thereon.

C. RICHTER KING

DATE

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MATTHIAS H. KRAUS

DATE

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STUART A. AARONSON

DATE

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